

Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42nd Street, Suite 2020
New York, New York 10165

Telephone: (212) 317-1200
Facsimile: (212) 317-1620

February 11, 2020

Via ECF

Honorable Katherine Polk Failla
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: 1:19-cv-00502-KPF Barreto Pelon et al v. Gabi Operating Corp. et al.

Dear Judge Failla:

This office represents Plaintiffs in the above referenced matter. We submit this joint status update with Defendants' counsel, in accordance with Your Honor's Order dated November 13, 2019. (ECF Dkt. 43).

The parties have had several discussions regarding settlement but have not been able to reach an agreement at this time. Nonetheless the parties continue to engage in negotiations for settlement of this matter, and are hopeful the matter can be resolved in the near future. To date, certain Plaintiffs have filed demands for arbitration, and Defendants are currently in discussions with the AAA regarding payment of the AAA initiating filing fees.

Both parties thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Michael Faillace
Michael Faillace

cc: Ilan Weiser, Esq. (via ECF)
Attorney for Defendants

The Court is in receipt of the above joint status update. This case will remain stayed pending arbitration. See *Katz v. Cellco P'ship*, 794 F.3d 341, 345 (2d Cir. 2015). The parties should provide their next status update on or before **May 12, 2020**.

SO ORDERED.

Dated: February 12, 2020
New York, New York

{00767414.DOC.1}



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE